

Message Text

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ACTION IO-10

INFO OCT-01 AF-06 ISO-00 ARA-06 EA-06 EUR-12 NEA-09 OIC-02

CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 ACDA-05 MMS-01 EB-07

AID-05 OMB-01 TRSE-00 IOE-00 /114 W
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P R 121920Z FEB 75

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TO SECSTATE WASHDC PRIORITY 654

INFO AMCONSUL CAPETOWN

AMEMBASSY PRETORIA

USMISSION USUN NEW YORK

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CAPETOWN FOR EMBASSY

E.O. 11652: NA

TAGS: ECOSOC, SHUM

SUBJECT: HUMAN RIGHTS COMMISSION - REPORT OF AD HOC WORKING
GROUP ON SOUTHERN AFRICA

1. DISCUSSION OF REPORT OF AD HOC WORKING GROUP
BEGAN A.M. SESSION FEBRUARY 12. BASIC DOCUMENT (E/CN.4/
1159) RECEIVED BY USDEL ON FEBRUARY 10 AND COPIES AIR
POUCHED TO DEPT. SAME DAY.

2. IN INTRODUCING REPORT, B'BAYE (SENEGAL), WHO
LEADER OF AD HOC WORKING GROUP, EMPHASIZED THAT TIME HAS
COME FOR SPECIFICATION WHICH WILL DETERMINE WHO IS IN
FAVOR OR AGAINST APARTHEID. THIS THEME REPEATED BY
MOST SUBSEQUENT SPEAKERS. US INTERVENTION COMPLIMENTED
REPORT, EMPHASIZED AGREEMENT ON PRINCIPLES RE DISAPPROVING
APARTHEID, BUT DISAGREEMENT ON TACTICS OF HOW TO AMELIORATE
SITUATION IN SOUTH AFRICA.

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3. TRANSMITTED BELOW IS PRELIMINARY DRAFT RESOLUTION WHICH WILL BE SUBMITTED THIS ITEM. DRAFT WORKED OUT AMONG AFRICAN GROUP WITH SENEGAL AND GHANA PLAYING LEADING ROLE. FINAL DRAFT RES MAY HAVE MINOR WORD CHANGES BUT GHANAIAN REP HAS TOLD US THAT BASIC IDEAS WILL REMAIN INTACT. EXPECT DRAFT TO BE CIRCULATED A.M. OF FEBRUARY 13.

4. COMMENT: US DEL WILL ASK THAT FINAL ACTION ON RESOLUTION NOT BE TAKEN IMMEDIATELY AS HAS BEEN CASE WITH SEVERAL PREVIOUS PROCEDURAL RESOLUTIONS. OPERATIVE PARA 1 OBVIOUSLY CREATES SERIOUS PROBLEMS FOR US BUT GHANIAN REP HAS SAID THAT BASIS IDEA NOT SUBJECT TO NEGOTIATION. REQUEST INSTRUCTIONS ON DRAFT RES, INCLUDING WHETHER THERE MERIT ATTEMPTING TO REACH CONSENSUS ON WORDING OF PROBLEM PASSAGES.

5. BEGIN TEXT OF PRELIMINARY DRAFT RESOLUTION.
QUOTE. RECALLING ITS RESOLUTION 2 (XXIII) IN WHICH IT ESTABLISHED THE AD HOC WORKING GROUP OF EXPERTS, ITS RESOLUTIONS 21 (XXV), 8 (//;88), 2 (//;888) AND 19 (XXIX) IN WHICH IT EXTENDED AND ENLARGED THE MANDATE OF THE WORKING GROUP, AND ITS RESOLUTION 7 (XXX) DEALING WITH ACTIVITIES OF THE ADHOC WORKING GROUP OF EXPERTS; RECALLING GENERAL RESOLUTION 2906 (XXVII) BY WHICH THE ASSEMBLY DECIDED TO LAUNCH THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION ON 10 DECEMBER 1973; RECOGNIZING THE CONTRIBUTION OF THE REPORTS OF THE WORKING GROUP OF EXPERTS TO THE CONTINUING EFFORTS OF THE UNITED NATIONS TO INVESTIGATE AND THUS EXPOSE THE GROSS AND FLAGRANT VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA AND IN THE AFRICAN TERRITORIES UNDER PORTUGUESE ADMINISTRATION, WITH THE VIEW TO BRINGING ABOUT NEEDED CHANGES; HAVING EXAMINED THE REPORT OF THE AD HOC WORKING GROUP (E/CN.4/1159) NOTING WITH SATISFACTION THAT DURING THE MANDATE OF THE WORKING GROUP IMPORTANT POLITICAL CHANGES AFFECT-

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ING THE TERRITORIES UNDER PORTUGUESE DOMINATION HAVE TAKEN PLACE; IN PARTICULAR THAT PORTUGAL HAS OFFICIALLY RECOGNIZED THE INDEPENDENCE OF GUINEA BISSAU AND HAS INITIATED STEPS LEADING TO THE INDEPENDENCE FOR MOZAMBIQUE AND ANGOLA,

DEEPLY CONCERNED ABOUT THE CONTINUED DEPLORABLE SITUATION IN SOUTHERN AFRICA REGARDING THE DENIAL OF HUMAN RIGHTS OF THE AFRICAN POPULATION AS WELL AS THE

BRUTAL AND INHUMAN TREATMENT METD OUT TO POLITICAL PRISONERS IN THAT PART OF THE CONTINENT,

1. CONSIDERS THAT POLICY OF APARTHEID AND RACIAL DISCRIMINATION OF THE GOVERNMENT OF SOUTH AFRICA IS INCOMPATIBLE WITH THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND IS THERFORE INCONSISTENT WITH MEMBERSHIP OF THE UNITED NATIONS,

2. DEPLORES IN PARTICULAR THAT
-IN SOUTH AFRICA (UNDERScoreD) THE SLAVE-LIKE INSTITUTIONS OF PRIVATE AND FARM GOALS ARE A CHARACTERISTIC OF THE APARTHEID SYSTEM;
-THE HOMELANDS POLICY IS A MEANS OF HINDERING SELF-DETERMINATION;
-THE TRANSIT CAMPS HAVE BEEN ENLARGED AND CONSTITUTE THE MOST INHUMAN METHOD OF POPULATION MOVEMENT AND FREEDOM OF MOVEMENT IN MODERN TIMES;
-ACCORDING TO RACE AND DISTRIMINATION AMONG STUDENTS IS ANOTHER FEATURE OF APARTHEID POLICY;

3. DEPLORES FURTHER IN PARTICULAR
(A) THAT IN REGARD OT NAMIBIA (UNDERScoreD) THERE IS NOT THE SLIGHTEST SIGN THAT SOUTH AFRICA IS GIVING UP ITS ILLEGAL OCCUPATION OF THATTERRITORY WHICH IS UNDER UNITED NATIONS SUPERVISION
-THAT PUBLIC FLOGGINGS HAVE BECOME A SHOCKING FEATURE OF PUNISHMENT AGAINST OPPONENTS OF THE APARTHEID POLICY;
-THAT FAIR TRIAL FOR POLITICAL DETAINEES IS NOT GUARANTEED;
(B) THAT IN REGARD TO SOUTHER RHODESIA (UNDERScoreD) LIMITED OFFICIAL USE

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THERE IS NO REAL CHANGE IN THE POLICY OF THE RACIST REGIME;

- THAT THE NUMBER OF POLITICAL PRISONERS AND CAPTURED FREEDOM FIGHTERS HAS INCREASED
-THAT MASS POPULATION REMOVALS GO ON AND THE SYSTEM OF "PROTECTEDVILLAGES" AND "NO GO AREAS" HAVE BEEN CREATED"

4. RECOMMENDS THAT THE ATTENTION OF SOUTHERN AFRICA SHOULD BE DRAWN ONCE AGAIN TO THE RECOMMENDATIONS OF THE WORKING GROUP IN ITS PRESENT AND IN ITS PREVIOUS REPORTS;

5. RECOMMENDS THAT THE GOVERNMENT OF THE UNITED KINGDOM, AS THE AMINISTRATING POWER OF SOUTHER

RHODESIA SHOULD INTERCEDE WITH THE AUTHORITIES IN SOUTHERN RHODESIA AND TAKE UP CASES OF PERSONS SENTENCED TO DEATH IN ORDER THAT THEIR EXECUTION WILL BE STOPPED; INSTITUTE AN INQUIRY INTO THE SUMMARY EXECUTION OF FREEDOM FIGHTERS CAPTURED AND INTO THE DEATHS WHICH HAVE OCCURRED IN SUSPICIOUS CIRCUMSTANCES OF PRISONERS IN PRISONS AND AT POLICE STATIONS;

6. DEMANDS THE RELEASE FROM DETENTION OF ALL POLITICAL PRISONERS IN SOUTHERN AFRICA AND THE IMPLEMENTATION OF THE PRINCIPLE ON THE RIGHT OF SELF-DETERMINATION;

7. RECOMMENDS THAT FREEDOM OF PEACEFUL ASSEMBLY AND OF SPEECH SHOULD BE RESTORED FOR ALL;

8. REQUESTS THE COMMISSIONER FOR NAMIBIA TO TAKE INTO ACCOUNT THE RECOMMENDATIONS OF THE AD HOC WORKING GROUP AND IN PARTICULAR TO EXPOSE THE PUBLIC FLOTING OF OPPONENTS OF APARTHEID, TO ORGANIZE A WORLD WIDE SEMINAR DEVOTED EXCLUSIVELY TO THE LARGE SCALE VIOLATIONS OF HUMAN RIGHTS THAT ARE TAKING PLACE DAILY IN NAMIBIA.

9. REQUESTS THE SECRETARY-GENERAL TO TRANSMIT THE CONCLUSIONS AND RECOMMENDATIONS ARISING OUT OF ITS INVESTIGATIONS IN 1973 AND 1974 TO THE MINISTERS OF FOREIGN AFFAIRS OF MEMBER STATES WITH THE APPEAL OF THE COMMISSION LIMITED OFFICIAL USE

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THAT THEIR RESPECTIVE PARLIAMENTS BE INFORMED ABOUT THE FINDINGS OF THE GROUP;

10. REQUEST THE SECRETARY-GENERAL TO CONSIDER THE POSSIBILITY OF ORGANIZING AT A SUITABLE LOCATION IN SOUTHERN AFRICA A SYMPOSIUM FOR THE PURPOSE OF CONSIDERING THE QUESTIONS REFERRED TO IN PARA. 20 OF THE CONCLUSIONS AND RECOMMENDATIONS OF THE PRESENT REPORT OF THE GROUP;

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ACTION IO-10

INFO OCT-01 AF-06 ISO-00 ARA-06 EA-06 EUR-12 NEA-09 OIC-02

CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02 NSAE-00 NSC-05

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11. DECIDES THAT THAT THE AD HOC WORKING GROUP OF EXPERTS SHOULD CONTINUE CAREFULLY TO OBSERVE AND SURVEY FURTHER DEVELOPMENTS CONCERNING THE POLICY OF APARTHEID AND RACIAL DISCRIMINATION PRESENT IN THE SITUATION PREVAILING IN NAMIBIA AND SOUTHER RHODESIA;

12. REQUESTS THE GROUP TO STUDY THE FARM GOAL SYSTEM, THE DEVELOPMENT OF THE SEPARATE HOMELANDS POLICY AND ITS EFFECTS ON THE RIGHT TO SELF-DETERMINATION, AS WELL AS THE FARM LABOUR SYSTEM IN THE REPUBLIC OF SOUTH AFRICA;

13. REQUESTS THE GROUP TO STUDY THE CONSEQUENCES OF APARTHEID AS REGARDS THE AFRICAN FAMILY AND TO INQUIRE INTO THE ASPIRATION OF THE STUDENT MOVEMENTS IN SOUTH AFRICA AND NAMIBIA;

14. REQUESTS THE GROUP TO SUBMIT A REPORT ON ITS LIMITED OFFICIAL USE

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FINDINGS TO THE COMMISSION NOT LATER THAN AT THE COMMISSION'S THIRTY-THIRD SESSION AND TO PRESENT AN INTERIM REPORT TO THE COMMISSION AT ITS THIRTY-SECOND SESSION;

15. RECOMMENDS TO THE ECONOMIC AND SOCIAL COUNCIL TO REQUEST THE SECRETARY-GENERAL TO APPEAL ON THE UNITED NATIONS COMMISSIONER FOR NAMIBIA TO ESTABLISH AN

APPROPRIATE COLLABORATION WITH THE AD HOC WORKING GROUP OF EXPERTS;

16. RECOMMENDS TO THE ECONOMIC AND SOCIAL COUNCIL AND THE GENERAL ASSEMBLY TO MAKE ARRANGEMENTS FOR ADEQUATE AND SUFFICIENT FINANCIAL RESOURCES AND STAFF TO BE PROVIDED TO THE AD HOC WORKING GROUP OF EXPERTS IN ORDER TO ENABLE IT TO CARRY OUT ITS MANDATE;

17. INVITES THE ECONOMIC AND SOCIAL COUNCIL TO REQUEST THE SECRETARY-GENERAL TO GIVE WIDE PUBLICITY TO THE REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (E/CN.4/1159).

RECOMMENDS THE ECONOMIC AND SOCIAL COUNCIL TO ADOPT THE FOLLOWING RESOLUTION:
THE ECONOMIC AND SOCIAL COUNCIL,
TAKING NOTE OF COMMISSION ON HUMAN RIGHTS
RESOLUTION----- (XXXI)

1. APPROVES THE DECISIONS TAKEN BY THE COMMISSION TO EXTEND THE MANDATE OF THE AD HOC WORKING GROUP OF EXPERTS WITHIN THE TERMS OF THE AFOREMENTIONED RESOLUTION;

2. ENDORSES THE VIEW THAT THE POLICY OF APARTHEID AND RACIAL DISCRIMINATION OF THE GOVERNMENT OF SOUTH AFRICA IS A FLAGRANT VIOLATION OF THE PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS AND THEREFORE MAY BE INCOMPATIBLE WITH SOUTH AFRICA'S MEMBERSHIP OF THE UNITED NATIONS;

3. REQUESTS THE SECRETARY-GENERAL TO GIVE FULL PUBLICITY TO THE REPORT OF THE AD HOC WORKING GROUP OF EXPERTS AND TO EXTEND TO THE GROUP ALL THE NECESSARY LIMITED OFFICIAL USE

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ASSISTANCE IN THE FULFILLMENT OF ITS MANDATE. END QUOTE.

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